



BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT

BOARD OF DIRECTORS
STATIONARY SOURCE COMMITTEE

COMMITTEE MEMBERS

JOHN GIOIA - CHAIR
DAVID CANEPA
SCOTT HAGGERTY
KAREN MITCHOFF
BRAD WAGENKNECHT

ROD SINKS – VICE CHAIR
CAROLE GROOM
NATE MILEY
JIM SPERING

MONDAY
SEPTEMBER 18, 2017
9:30 A.M.

1ST FLOOR BOARD ROOM
375 BEALE STREET
SAN FRANCISCO, CA 94105

AGENDA

1. CALL TO ORDER - ROLL CALL – PLEDGE OF ALLEGIANCE

The Committee Chair shall call the meeting to order and the Clerk of the Boards shall take roll of the Committee members. The Committee Chair shall lead the Pledge of Allegiance.

2. PUBLIC COMMENT PERIOD

(Public Comment on Non-Agenda Items Pursuant to Government Code § 54954.3) Members of the public are afforded the opportunity to speak on any agenda item. All agendas for regular meetings are posted at District headquarters, 375 Beale Street, San Francisco, CA, 94105 at least 72 hours in advance of a regular meeting. At the beginning of the regular meeting agenda, an opportunity is also provided for the public to speak on any subject within the Committee's subject matter jurisdiction. Speakers will be limited to three (3) minutes each.

This meeting will be webcast. To see the webcast, please visit <http://www.baaqmd.gov/about-the-air-district/board-of-directors/resolutionsagendasminutes> at the time of the meeting.

Staff/Phone (415) 749-

3. APPROVAL OF THE MINUTES OF APRIL 17, 2017

Clerk of the Boards/5073

The Committee will consider approving the draft minutes of the Stationary Source Committee meeting of April 17, 2017.

4. **UPDATE ON WOOD SMOKE PROGRAM**

J. Broadbent/5052
jbroadbent@baaqmd.gov

The Committee will receive an update on the Wood Smoke Program.

5. **UPDATE ON DRAFT REGULATION 11, RULE 18: REDUCTION OF RISK FROM AIR TOXIC EMISSIONS AT EXISTING FACILITIES**

J. Broadbent/5052
jbroadbent@baaqmd.gov

Staff will present an update of the draft Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions at existing facilities.

6. **COMMITTEE MEMBER COMMENTS**

Any member of the Board, or its staff, on his or her own initiative or in response to questions posed by the public, may: ask a question for clarification, make a brief announcement or report on his or her own activities, provide a reference to staff regarding factual information, request staff to report back at a subsequent meeting concerning any matter or take action to direct staff to place a matter of business on a future agenda. (Gov't Code § 54954.2)

7. **TIME AND PLACE OF NEXT MEETING**

Monday, October 16, 2017, Bay Area Air Quality Management District Office, 375 Beale Street, San Francisco, California 94105 at 10:30 a.m.

8. **ADJOURNMENT**

The Committee meeting shall be adjourned by the Committee Chair.

CONTACT:

MANAGER, EXECUTIVE OPERATIONS
375 BEALE STREET, SAN FRANCISCO, CA 94105
mmartinez@baaqmd.gov

(415) 749-5016
FAX: (415) 928-8560
BAAQMD homepage:
www.baaqmd.gov

- To submit written comments on an agenda item in advance of the meeting. Please note that all correspondence must be addressed to the “Stationary Source Committee” and received at least 24 hours prior, excluding weekends and holidays, in order to be presented at that Board meeting. Any correspondence received after that time will be presented to the Board at the following meeting.
- To request, in advance of the meeting, to be placed on the list to testify on an agenda item.
- Any writing relating to an open session item on this Agenda that is distributed to all, or a majority of all, members of the body to which this Agenda relates shall be made available at the District’s offices at 375 Beale Street, Suite 600, San Francisco, CA 94105, at the time such writing is made available to all, or a majority of all, members of that body.

Accessibility and Non-Discrimination Policy

The Bay Area Air Quality Management District (Air District) does not discriminate on the basis of race, national origin, ethnic group identification, ancestry, religion, age, sex, sexual orientation, gender identity, gender expression, color, genetic information, medical condition, or mental or physical disability, or any other attribute or belief protected by law.

It is the Air District’s policy to provide fair and equal access to the benefits of a program or activity administered by Air District. The Air District will not tolerate discrimination against any person(s) seeking to participate in, or receive the benefits of, any program or activity offered or conducted by the Air District. Members of the public who believe they or others were unlawfully denied full and equal access to an Air District program or activity may file a discrimination complaint under this policy. This non-discrimination policy also applies to other people or entities affiliated with Air District, including contractors or grantees that the Air District utilizes to provide benefits and services to members of the public.

Auxiliary aids and services including, for example, qualified interpreters and/or listening devices, to individuals who are deaf or hard of hearing, and to other individuals as necessary to ensure effective communication or an equal opportunity to participate fully in the benefits, activities, programs and services will be provided by the Air District in a timely manner and in such a way as to protect the privacy and independence of the individual. Please contact the Non-Discrimination Coordinator identified below at least three days in advance of a meeting so that arrangements can be made accordingly.

If you believe discrimination has occurred with respect to an Air District program or activity, you may contact the Non-Discrimination Coordinator identified below or visit our website at www.baaqmd.gov/accessibility to learn how and where to file a complaint of discrimination.

Questions regarding this Policy should be directed to the Air District’s Non-Discrimination Coordinator, Rex Sanders, at (415) 749-4951 or by email at rsanders@baaqmd.gov.

**BAY AREA AIR QUALITY MANAGEMENT DISTRICT
375 BEALE STREET, SAN FRANCISCO, CALIFORNIA 94105
FOR QUESTIONS PLEASE CALL (415) 749-5016 or (415) 749-4941**

**EXECUTIVE OFFICE:
MONTHLY CALENDAR OF AIR DISTRICT MEETINGS**

SEPTEMBER 2017

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month) - CANCELLED</i>	Monday	18	9:30 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	18	9:30 a.m.	1 st Floor Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	20	9:45 a.m.	1 st Floor Board Room
Board of Directors Climate Protection Committee <i>(Meets on the 3rd Thursday of every other Month)</i>	Thursday	21	9:30 a.m.	1 st Floor Board Room
Board of Directors Public Engagement Committee <i>(At the Call of the Chair)</i>	Monday	25	9:30 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month) - CANCELLED</i>	Wednesday	27	9:30 a.m.	1 st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	28	9:30 a.m.	1 st Floor Board Room

OCTOBER 2017

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	4	9:45 a.m.	1 st Floor Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	16	9:30 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	16	10:30 a.m.	1 st Floor Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	18	9:45 a.m.	1 st Floor Board Room

OCTOBER 2017

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	25	9:30 a.m.	1st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	26	9:30 a.m.	1 st Floor Board Room
Advisory Council Mtg. <i>(Meets on Monday Quarterly)</i>	Monday	30	10:00 a.m.	1 st Floor Board Room

NOVEMBER 2017

<u>TYPE OF MEETING</u>	<u>DAY</u>	<u>DATE</u>	<u>TIME</u>	<u>ROOM</u>
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	1	9:45 a.m.	1 st Floor Board Room
Board of Directors Regular Meeting <i>(Meets on the 1st & 3rd Wednesday of each Month)</i>	Wednesday	15	9:45 a.m.	1 st Floor Board Room
Board of Directors Climate Protection Committee <i>(Meets on the 3rd Thursday of every other Month)</i>	Thursday	16	9:30 a.m.	1 st Floor Board Room
Board of Directors Executive Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	20	9:30 a.m.	1 st Floor Board Room
Board of Directors Stationary Source Committee <i>(Meets on the 3rd Monday of each Month)</i>	Monday	20	10:30 a.m.	1 st Floor Board Room
Board of Directors Budget & Finance Committee <i>(Meets on the 4th Wednesday of each Month)</i>	Wednesday	22	9:30 a.m.	1st Floor, Yerba Buena Room #109
Board of Directors Mobile Source Committee <i>(Meets on the 4th Thursday of each Month)</i>	Thursday	23	9:30 a.m.	1 st Floor Board Room

HL – 8/30/17 - 9:25 a.m.

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BAY AREA AIR QUALITY MANAGEMENT DISTRICT
Memorandum

To: Chairperson John Gioia and Members
of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 7, 2017

Re: Approval of the Minutes of April 17, 2017

RECOMMENDED ACTION

Approve the attached draft minutes of the Stationary Source Committee (Committee) meeting of April 17, 2017.

DISCUSSION

Attached for your review and approval are the draft minutes of the Committee meeting of April 17, 2017.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Marcy Hiratzka
Reviewed by: Maricela Martinez

Attachment 3A: Draft Minutes of the Committee Meeting of April 17, 2017

AGENDA: 3A – ATTACHMENT

Draft Minutes – Stationary Source Committee Meeting of April 17, 2017

Bay Area Air Quality Management District

375 Beale Street, Suite 600
San Francisco, California 94105
(415) 749-5073

DRAFT MINUTES

Summary of Board of Directors
Stationary Source Committee Meeting
Monday, April 17, 2017

1. CALL TO ORDER – ROLL CALL

Stationary Source Committee (Committee) Chairperson John Gioia called the meeting to order at 9:30 a.m.

Present: Committee Chairperson John Gioia; Vice Chairperson Rod Sinks; and Directors David Canepa, Scott Haggerty, Karen Mitchoff, Jim Spering, and Brad Wagenknecht.

Absent: Directors Carole Groom and Nate Miley.

Also Present: None.

2. PUBLIC COMMENT ON NON-AGENDA MATTERS

Public comments were given by Jan Warren, Interfaith Climate Action Network of Contra Costa County; and Greg Karras, Communities for a Better Environment (CBE).

NOTED PRESENT: Director Scott Haggerty was noted present at 9:37 a.m.

3. APPROVAL OF THE MINUTES OF MARCH 20, 2017

Public Comments:

No requests received.

Committee Comments:

None.

Committee Action:

Director Canepa made a motion, seconded by Vice Chair Sinks, to approve the Minutes of March 20, 2017; and the motion carried by the following vote of the Committee:

AYES: Canepa, Gioia, Mitchoff, Sinks, and Spering.
NOES: None.
ABSTAIN: None.
ABSENT: Groom, Haggerty, Miley, and Wagenknecht.

4. UPDATE ON DRAFT REGULATION 11, RULE 18: REDUCTION OF RISK FROM AIR TOXIC EMISSIONS AT EXISTING FACILITIES

Jack Broadbent, Executive Officer/Air Pollution Control Officer, introduced Sanjeev Kamboj, Engineering Division Manager, who gave the staff presentation *Regulation 11, Rule 18: Reduction of Risk From Air Toxic Emissions at Existing Facilities*, including: Draft Regulation 11, Rule 18 overview and outline; effectiveness of control programs; stationary source programs; Draft Regulation 11, Rule 18 requirements, implementation approach, and implementation phases; public outreach; forecasting potential changes; and next steps.

NOTED PRESENT: Director Wagenknecht was noted present at 10:41 a.m.

Public Comments:

Public comments were given by Bill Quinn, California Council for Environmental and Economic Balance; Kevin Buchan, Western States Petroleum Association; Walt Gill, Chevron; and Greg Karras, CBE.

Committee Comments:

The Committee and staff discussed the potential extended adoption schedule for Draft Rule 11-18; the Committee's request for data reflecting Bay Area lifetime residential cancer risk from *mobile sources* versus from *stationary sources*; staff's facility prioritization process; the Committee's request for additional language in the Implementation Phases slide of the presentation to indicate the number of facilities affected in each phase and the fact that the retail gas stations in Phase 4 have been identified as the ones with the largest throughput; staff's rationale for anticipating an eleven-year implementation timeline and the order of the implementation phases; the risk reduction plan requirement that facilities above the risk action level of 10 in a million would need to meet; the District's communication of Best Available Retrofit Control Technologies for Toxics (TBARCT) to the affected facilities; the possibility of reducing risk from air toxic emissions at gasoline dispensing facilities toxic under a new rule, separate from Draft Rule 11-18; how limiting hours of operation may impact facilities that are affected by Draft Rule 11-18; anticipated risk reduction plans from affected facilities; whether industrial facilities ought to have the same amount of time to comply with Draft Rule 11-18 as public owned treatment works facilities will be given; staff's reasoning for not allowing affected facilities additional time for compliance; the Committee's request for staff to analyze which affected facilities' operations impact the greatest number of people, and accelerate those facilities' compliance timelines; staff's reasoning for establishing a low risk action level from 100 in a million directly to 10 in a million; how different types of Particulate Matter (PM) fall into different contaminant categories, and how BAAQMD Rule 6-5: Fluidized Catalytic Cracking Units (FCCUs) would overlap with Draft Rule 11-18 regarding diesel emissions from refinery FCCUs; and the Committee's request for examples of high, medium, and low health risks under existing standards, and examples of how sources of emissions can be moved away from sensitive receptors (residences and schools).

Committee Action:

None; receive and file.

5. UPDATE ON REGULATION 6: PARTICULATE MATTER RULE DEVELOPMENT

Jean Roggenkamp, Deputy Executive Officer, introduced Guy Gimlen, Principal Air Quality Engineer, who gave the staff presentation *Regulation 6: Particulate Matter Rule Update*, including: outline; PM basics and health impacts; sources of PM₁₀ and PM_{2.5}; air quality trends, stationary source PM control measures in 2010; control methods; draft structure for Regulation 6; Regulation 6, Rule 1: General Requirements; prohibition of trackout; bulk material handling; rule making schedule; and next steps to address PM.

Public Comments:

No requests received.

Committee Comments:

The Committee and staff discussed how PM_{2.5} is a subset of PM₁₀; the need for the District to strengthen its relationships with (oftentimes under-resourced) city and county public works staff, so that city and county staff can best address reports of smoke/dust clouds, despite the District's limited ability to enforce local ordinances; Best Available Control Technology to address fugitive dust from bulk materials, especially during loading, unloading, and transporting; the difficulty in mitigating dust from construction sites, as opposed to mitigation at landfills and quarries; and the feasibility of installing sensors to detect trackout.

Committee Action:

None; receive and file.

6. COMMITTEE MEMBER COMMENTS

None.

7. TIME AND PLACE OF NEXT MEETING

Monday, May 15, 2017, Bay Area Air Quality Management District Office, 375 Beale Street, San Francisco, California 94105 at 10:30 a.m.

8. ADJOURNMENT

The meeting adjourned at 11:16 a.m.

Marcy Hiratzka
Clerk of the Boards

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John Gioia and Members
of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/APCO

Date: September 7, 2017

Re: Update on Wood Smoke Program

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

In the winter, the estimated 1.4 million fireplaces and other wood-burning residential heating devices account for more than 30% of PM_{2.5} air pollution in the Bay Area. On July 9, 2008, the Bay Area Air Quality Management District's (Air District) Board of Directors (Board) adopted Regulation 6, Rule 3: Wood-Burning Devices, to protect Bay Area residents from the public health impacts of wood smoke pollution. Wood-burning devices include fireplaces, fire pits, wood stoves, pellet stoves, and any other wood-fired heating device. The rule bans wood burning during Winter Spare the Air Alerts; limits excess visible smoke; prohibits burning garbage; prohibits the sale and installation of non-EPA certified wood-burning devices; and requires labeling on firewood and other solid fuels sold within the Air District's jurisdiction.

Regulation 6, Rule 3 has successfully reduced wintertime PM_{2.5} emissions regionally by about 2,660 tons per year (tpy). However, wood smoke continues to exceed the PM_{2.5} federal health standard, and to negatively impact local air quality. On October 21, 2015, the Board adopted amendments to the rule that tighten the exemptions and the requirements from the original rule. The amendments to Regulation 6, Rule 3 include the following provisions:

- Restrictions on the availability of the "sole source of heat" exemption: Residents seeking to use the exemption will be required to replace or upgrade any existing non-certified wood-burning device or fireplace with an EPA-certified wood-burning device, and to register that EPA-certified device with the Air District;
- Adoption of EPA emissions requirements for the manufacturing, sale or resale of wood-burning devices;
- Requirement for a proactive and informative disclosure describing the negative health impacts of PM_{2.5} when selling, leasing, or renting properties with a wood-burning device;

- Requirement for rental properties in natural gas service areas to have a permanently installed form of heat that does not burn solid fuel;
- Limits on installations in new building construction to only non-wood-burning devices; and
- Requirements for the replacement of an existing uncertified wood-burning device with a clean burning device if a fireplace or chimney remodel exceeds \$15,000 and requires a building permit.

In addition to the proposed rule change, on September 2, 2015, the Board allocated \$3 million from the Air District's reserves to fund an incentive program to aid Bay Area homeowners and landlords to change to cleaner heating devices.

DISCUSSION

Staff will present an update on the Wood Smoke Reduction Program including information about:

- Regulation 6, Rule 3 implementation.
- The Wood Smoke Reduction Incentive Program that was developed to help Bay Area homeowners and landlords replace their wood-burning heating devices with cleaner options.
- The Winter Spare the Air campaign which highlights changes to the wood burning rule, publicizes the benefits of replacing old fireplaces and continue to focus on the localized health impacts from wood smoke.

BUDGET CONSIDERATION/FINANCIAL IMPACT

None.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Wayne Kino
Reviewed by: Jeff McKay

BAY AREA AIR QUALITY MANAGEMENT DISTRICT

Memorandum

To: Chairperson John Gioia and Members
of the Stationary Source Committee

From: Jack P. Broadbent
Executive Officer/Air Pollution Control Officer

Date: September 7, 2017

Re: Update on Draft Regulation 11, Rule 18: Reduction of Risk from Air Toxic Emissions
at Existing Facilities

RECOMMENDED ACTION

None; receive and file.

BACKGROUND

The Air District implements several programs that are designed to identify and reduce community exposure to Toxic Air Contaminants (TACs). Staff is proposing Regulation 11, Rule 18 (Rule 11-18) to address the public's exposure of health risks associated with the emissions of TACs at existing facilities by reducing those risks to the lowest feasible levels.

DISCUSSION

Proposed Rule 11-18 is a groundbreaking, air quality measure that further protects the health of Bay Area residents and communities. If adopted, this new regulation will impose some of the most stringent limits on toxic air contaminant emissions from stationary sources in the state and nation. This regulation proposes to incorporate the newest health protective standards published by the Office of Environmental Health Hazard Assessment (OEHHA) and would directly limit the risk from stationary sources in communities by requiring these facilities to meet new, lower health risk management standards: a cancer risk of 10 per million (10/M) and a chronic/acute hazard index of 1.0.

The Air District will screen and prioritize facilities based on the quantity and potency of their emissions, as well as, their proximity to residents and offsite workers. The Air District will conduct Health Risk Assessments (HRAs) to determine if these facilities are above the health risk action threshold. Facilities above this health risk action threshold would be required to reduce their risk by either process modification or the installation of emissions controls, which will be validated and tracked by the Air District through the filing of a Risk Reduction Plan (RRP). If a facility cannot devise a means to fully reduce its risk below the threshold, it would still be required to install best available retrofit control technology for toxic pollutants (TBARCT) on significant sources of risk at the facility.

Staff will provide an update on the status of proposed Rule 11-18, including a summary of comments from public workshops and technical working groups with various industry groups.

BUDGET CONSIDERATION/FINANCIAL IMPACT

Staff anticipate the need to perform approximately 500 additional facility-wide HRAs and review several hundred RRs over the next 5 years. Four new full-time staff in the Engineering Division will be required to maintain current permitting operations, while existing staff are redirected towards this effort.

The Board of Directors (Board) adopted new fees in the June 2017 amendments of Regulation 3, to cover the costs associated with conducting HRAs and reviewing the RRs. In addition, the Board approved the allocation of \$1.2 million in the Fiscal Year End 2018 (FYE 2018) budget to hire consultants to aid in accelerating the execution of the HRA work.

Respectfully submitted,

Jack P. Broadbent
Executive Officer/APCO

Prepared by: Jaime Williams
Reviewed by: Damian Breen